

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

TBK-Patent
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19. Feb. 2004

TBK - PATENT

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

17-02-2004

Applicant's or agent's file reference

WO 33902

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/IB 2002/002428

International filing date (day/month/year)

26.06.2002

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

H04Q 7/20, H04B 7/26

Applicant

Nokia Corporation et al

1. ☐ The written opinion established by the International Searching Authority:

☐ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This first (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

26.10.2004

Name and mailing address of the IPEA/SE

Patent- och registreringsverket

Box 5055

S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Form PCT/IPEA/408 (cover sheet) (January 2004)

Authorized officer

Stefan Hansson /OGU

Telephone No. 46 8 782 25 00

17.4.04 ✓
17.3.

**WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

International application No.

PCT/IB 2002/002428

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/IB 2002/002428

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

Claims

Inventive step (IS)

Claims

Claims

1-9

Industrial applicability (IA)

Claims

Claims

2. Citations and explanations:

The claimed invention

The claimed invention relates to a method for communication network performance analysis.

The following documents were cited in the International Search Report:

D1: US 6442393 A

D2: EP 431956 A

D3: US 5920607 A

D4: US 5598532 A

D5: WO 9824208 A

D2 relates to a cellular radiotelephone diagnostic system. D2 describes in the abstract that when a call is received by a base station, the position of at least one of the mobile units operating within the geographic area is located (part a2 of claim 1). As a call is part of different services that may be supported by a cellular communication system, this is a subset of the possible service offered to the subscriber by a communication service. As a person skilled in the art knows, a call is initiated by a call set up where a subscriber requests a call to be set up, in other words a service request is issued by a terminal attached to the network (part a1 of claim 1). D2 further describes that the base station monitors the signal quality of the call and collects information relevant to the actual performance of the communication system. This means that the call is established (part a3 of claim 1).

D2 describes further, the mobile unit location and corresponding signal quality data are passed from the base station to an evaluation tool housed within the central operation and maintenance unit.

.../...

WRITTEN OPINION OF THE
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International application No.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V.

The evaluation tool collects the data performs all necessary analytic and arithmetic computations and provides a user friendly representation of the characteristics of the radio coverage.

D2 does not describe the matching of the position to a grid of unit areas. However, in figure 2 and 3, it is shown how areas within each cell have different traffic density. This means that the grid unit in a way is used and the way it is stated in claim 1 does not contribute to anything that is not described in D2. Consequently, the invention as in claim 1 is not considered to involve an inventive step.

D2 further describes in the abstract that with this representation of the radio coverage characteristics, the system operator can quickly and efficiently diagnose coverage deficiencies and take the necessary corrective action. Consequently, the claimed invention as in claim 2 is considered to lack an inventive step.

It is considered well-known to a person skilled in the art that when a service is set up, e.g. a call, it is indicated that the service is successfully established or not. Consequently, the claimed invention as in claim 3-5 is considered to lack an inventive step.

Claims 6-9 all pertain to measures considered obvious to a person skilled in the art. Consequently, the claimed invention as in claims 6-9 is considered to lack an inventive step.

D3-D5 all merely disclose the state of the art and are not commented on further.